

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Certain Underwriters at Lloyd's London	§	
Subscribing to	§	
Certificate No. WHP000080728005,	§	
Plaintiffs,	§	
v.	§	Civil Action No.
	§	
Misty R. Moran, Jacob C. Moran,	§	SA-10-CV-0529 NN
Wells Fargo Bank, NA,	§	
	§	
Defendants.	§	
<hr style="width:45%; margin-left:0"/>		
Wells Fargo Bank, NA,	§	
	§	
Cross-Claimant,	§	
v.	§	
	§	
Jacob C. Moran, & Misty R. Moran,	§	
	§	
Cross-Defendants.	§	

Dismissal Order

This case was filed by plaintiff Certain Underwriters at Lloyd's London (Lloyd's) against defendants Misty and Jacob Moran and Wells Fargo Bank, NA, (the Bank).¹ Lloyd's filed the lawsuit to resolve a dispute over entitlement to money paid to the Morans as Lloyd's insured for damage from a home fire. Lloyd's asked the court to adjudicate claims for the insurance money and asked for attorney fees.

¹Docket entry # 1.

The Bank is the Morans' mortgage holder. The Bank answered and filed a cross-claim against the Morans complaining that the Morans failed to repair the mortgaged home. The Bank asked for the insurance money for disbursement in accordance with the deed of trust.²

Since that time, the parties resolved their dispute over entitlement to the insurance pay-out.³ Under the agreed resolution, the insurance money was released to the Bank and the Morans for disbursement in accordance with the deed of trust⁴ so the Morans can repair the mortgaged property. The Bank withdrew its cross-claim.⁵ The court denied Lloyd's request for attorney fees.⁶ With those matters resolved, no issues remain for adjudication. Accordingly, I dismiss this case. The parties shall bear their own costs.

SIGNED on October 24, 2011.



NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE

²Docket entry # 5.

³Docket entry # 26.

⁴Docket entry # 30.

⁵Docket entry # 28.

⁶Docket entry # 29.